

SHER TREMONTE LLP

January 15, 2021

BY ECF AND EMAIL

The Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Out of respect for the Court of Appeals, and because of the forthcoming holiday weekend, nothing has to be done, or will be done, pending further ruling.

So ordered,

/s/ Hon. Alvin K. Hellerstein
January 15, 2021

Re: *United States v. Jona Rechnitz*, 16 Cr. 389 (AKH)

Dear Judge Hellerstein:

We write on behalf of our client, Jona Rechnitz, to seek clarification of the Court's order regulating proceedings, filed today, which adjourned the hearing scheduled for January 19, 2021 to January 26, 2021. Dkt. #133.

The Court previously filed an "Order to Disclose" the confidential financial information Mr. Rechnitz had provided to the Probation Department, in which it ordered that the information "*will be* filed on ECF and provided to COBA." Dkt. # 127, at 4 (emphasis added). The Order did not make clear, however, whether Mr. Rechnitz must provide the information to COBA and file it on ECF, or whether the Court intended to do so, nor did it provide a deadline by which the information must be disclosed/publicly filed. In response, Mr. Rechnitz filed an emergency motion to stay the Court's Order to Disclose, Dkt. # 128, followed by a petition for a writ of mandamus and motion for emergency stay of the proceedings in the Second Circuit. *In Re: Jona Rechnitz*, No. 21-77 (2d Cir.). The Clerk's Office of the Second Circuit has asked that we inform that Court as soon as Your Honor rules on the motion to stay. We have advised the Clerk's Office of this Court's most recent order regulating proceedings, but that order does not make clear whether or not the Order to Disclose has been stayed.

Accordingly, we respectfully request clarification as to whether this Court has stayed the Order to Disclose. If the Court has denied Mr. Rechnitz's request, we request clarification as to when either (a) Mr. Rechnitz must or (b) the Court itself will disclose

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the information, so that we may advise the Court of Appeals and ask it to consider our emergency stay motion.

Respectfully submitted,

/s/

Michael Tremonte

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Attorneys for Jona Rechnitz

cc: All counsel of record (by ECF)